

**IN THE SUPREME COURT OF THE DEMOCRATIC SOCIALIST REPUBLIC
OF SRI LANKA**

In the matter of an application for
Special Leave to Appeal to the Supreme
Court of the Democratic Socialist
Republic of Sri Lanka.

SC. Spl. LA. No. 171/2010

C.A. Writ Application No. 1765/06

1. Lt. General S.H.S. Kottegoda (Rtd)
Nimalpaya, 45
Baron Jayathilake Mawatha,
Dehiwela.
2. Commander of the Army
Army Headquarters,
Colombo 3.
3. Maj. General L.L.A. Fernando (Rtd)
291/2C, Sri Nandana Jothikarama Rd.,
Thalangama.
4. Brigadier K.C.J. Jayaratne (Rtd)
20/33, Karunathilake Mawatha,
Thalangama North.

5. Colonel H.K.W. Ranasinghe SLAGC
Regimental Centre Panagoda.
6. Lt. Colonel G.K.S. Fonseka SLCMP
Narahenpita.
7. M.R.H. Swarnathilake
Accountant Ministry of Defence,
Colombo 3.
8. Hon. Attorney General
Attorney General's Department,
Colombo 12.

Respondents-Petitioners

-Vs.-

Uragoda Appuhamilage Ananda
Wimalaweera,
231/B, Magamma,
Homagama.

Petitioner-Respondent

BEFORE : **Amaratunga, J.**
Suresh Chandra, J.
Dep., PC., J.

COUNSEL : Janak de Silva, DSG., for the
Respondent-Petitioners.

M. Samarakoon for the Petitioner-Respondent.

ARGUED &
DECIDED ON : 27.03.2012

Amaratunga, J.

Parties have filed a joint motion dated 24.02.2012 signed by the Attorney-at-Law for the Respondent-Petitioners and the Attorney-at-Law for the Petitioner-Respondent where they have set out the terms of settlement.

The learned Counsel for the Petitioner-Respondent states that he is satisfied with the terms of settlement. Accordingly, we make order incorporating the terms of settlement set out in paragraph (1) of the joint motion in the decree of this Court.

We vary the judgment of the Court of Appeal dated 29.07.2010 in C.A. Application No. 1765/06 to the extent of setting aside the writ of certiorari issued by the Court of Appeal in favour of the Petitioner in terms of prayer (5) of the Petition filed in the Court of Appeal. These proceedings are terminated. No costs.

JUDGE OF THE SUPREME COURT

Suresh Chandra, J.

I agree.

JUDGE OF THE SUPREME COURT

Dep, PC., J.

I agree.

JUDGE OF THE SUPREME COURT

Ahm